REMARKS

Claims 1, 2, 5 and 7 are rejected, under 35 U.S.C. § 102(b), as being anticipated by Matousek `516. The Applicant acknowledges and respectfully traverses the raised anticipatory rejection in view of the following remarks.

As the Examiner is aware, in order to properly support an anticipation rejection under 35 U.S.C. § 102(b), the cited reference, Matousek `516, must disclose each and every limitation of the presently claimed invention. Observing Fig. 1 of Matousek `516 and the related description at column 2, lines 56-64, the Applicant notes that Matousek `516 includes a body 10 having an inlet flow passageway 14, and an outlet flow passageway 16 which extend directly through the middle of the portion of the body 10 forming the internal valve chamber 12 and the inlet and outlet ends, respectively.

The Examiner argues that there is an increased wall thickness on the top side of the housing 10 presumably due to the fact that the housing 10 includes a raised section 82 extending from one of the walls to support the handle 66. The Applicant adamantly disagrees with the assertion that this raised section 82 can be construed as a "thicker wall" of the valve housing 10 merely because there is extra material left from a milling operation to form the extension 82 for supporting the valve handle 66. It readily apparent from observing Figs. 1 and 4 that the fluid passage extends directly down the middle, and between the inlet and out ends 14, 16 of the valve housing 10.

Although it is impossible to tell, it may be that inlet passageway 14 and the outlet passageway 16 of Matousek `516 are not located directly in the middle of the original piece of barstock from which Matousek `516 milled the housing 10. However, the present claim 1 specifically recites the feature of "a through machine main flow port located eccentrically on said inlet and said outlet ends. . .". The Applicant's claimed feature thus expressly positions the main flow port relative to the inlet and outlet ends of the valve, not relative to the barstock body as asserted by the Examiner's argument.

In other words, the throughbore or flow passage in Matousek `516 is not eccentrically located relative to the inlet and outlet ends 14, 16 of the body 10 even if it can be argued that it is off-center from the original flat bar stock from which the Matousek `516 valve is milled. However, in light of this reference and in order to provide further clarity to the presently claimed invention, the Applicant has amended claims 1, 6, 7 and 8 to include the further feature that the transverse cross-section of the valve body which defines the outer walls of the valve body is substantially uniform.

One of the benefits of the present invention arises from the use of preselected barstock of a size which eliminates the necessity to mill the barstock as in Matousek `516. The Applicant's use of unmilled preselected barstock having a substantially constant, or uniform cross-section is particularly different than the milled valve features of Matousek `516. Claim 1 now specifically recites the feature, ". . .a barstock body of preselected material having an inlet end and an outlet end, and a substantially uniform transverse cross-section defining the outer walls". The Applicant believes this amendment more clearly defines the inventive subject matter of the present invention over Matousek `516, since the milled upwardly extending portion 82 extending from the valve walls cannot define a wall having a uniform transverse cross-section as presently claimed.

If any further amendment is believed necessary to place this case in condition for allowance, the Examiner is courteously requested to contact the undersigned Attorney of Record to discuss the same.

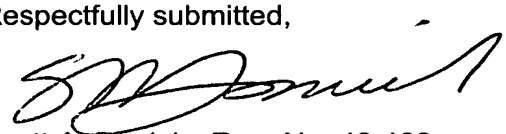
Claim 6 is also rejected, under 35 U.S.C. § 102(b), as anticipated by or, in the alternative, under 35 U.S.C. § 103(a) as obvious over Matousek `516. The Applicant has made similar amendments to claim 6 which now includes the specific step of, "selecting the reduced size barstock having a substantially uniform transverse cross-section defining an outer wall configuration formed about a longitudinal center line. . . ". As the arguments with respect to this amendment are the same or similar to those above, for the sake of brevity the Applicant merely incorporates the previous arguments by reference.

Claims 3 and 8 are also rejected, under 35 U.S.C. § 103, as being unpatentable over Matousek `516 in view of Dicky `055. Claim 8 has been amended along the same lines as above to include the feature of, "a barstock body having outer walls extending between an inlet end and an outlet end defined by a substantially uniform transverse cross-section circumscribed about a central longitudinal axis". Again, as the arguments with respect to this amendment are the same or similar to those above, for the sake of brevity the Applicant merely incorporates the previous arguments by reference.

In view of the foregoing, it is respectfully submitted that this application is now placed in a condition for allowance. Action to that end, in the form of an early Notice of Allowance, is courteously solicited by the Applicant at this time.

In the event that there are any fee deficiencies or additional fees are payable, please charge the same or credit any overpayment to our Deposit Account (Account No. 04-0213).

Respectfully submitted,



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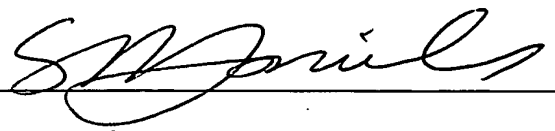
By: 

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